

## CCRB INVESTIGATIVE RECOMMENDATION

|   |   |                           |   |   |                                 |
|---|---|---------------------------|---|---|---------------------------------|
| Investigator:<br>Rushelle Sharpe                  | Team:<br>Team # 4   | CCRB Case #:<br>201109262 | <input type="checkbox"/> Force                        | <input checked="" type="checkbox"/> Discourt. | <input type="checkbox"/> U.S.   |
|   |   |                           | <input type="checkbox"/> Abuse                        | <input type="checkbox"/> O.L.                 | <input type="checkbox"/> Injury |
| Incident Date(s)<br>Saturday, 07/16/2011 12:15 AM | Location of Incident:<br>§ 87(2)(b)                                     | Precinct:<br>79           | 18 Mo. SOL<br>1/16/2013                               | EO SOL<br>1/16/2013                           |                                 |
| Date/Time CV Reported<br>Mon, 07/18/2011 2:06 PM  | CV Reported At:<br>CCRB   | How CV Reported:<br>Phone | Date/Time Received at CCRB<br>Mon, 07/18/2011 2:06 PM |   |                                 |
| <b>Complainant/Victim</b>                         | <b>Type</b>   | <b>Home Address</b>       |   |   |                                 |
|   |   |                           |   |   |                                 |
| <b>Subject Officer(s)</b>                         | <b>Shield</b>   | <b>TaxID</b>              | <b>Command</b>  |   |                                 |
| 1. POM Shibu Madhu                                | 13609   | 944754                    | 079 PCT   |   |                                 |
| <b>Witness Officer(s)</b>                         | <b>Shield No</b>  | <b>Tax No</b>             | <b>Cmd Name</b>                                       |   |                                 |
| 1. POM Awais Mazhar                               | 12155   | 945243                    | 079 PCT   |   |                                 |
| <b>Officer(s)</b>                                 | <b>Allegation</b>   |                           |   | <b>Investigator Recommendation</b>            |                                 |
| A.POM Shibu Madhu                                 | Discourtesy: PO Shibu Madhu spoke obscenely and/or rudely to § 87(2)(b) |                           |   |   |                                 |

### Case Summary

On July 18, 2011, § 87(2)(b) called CCRB and filed a complaint against an NYPD officer. On July 16, 2011, at approximately 12:15 a.m., § 87(2)(b) was involved in an altercation inside the § 87(2)(b) in Brooklyn. PO Shibu Madhu and PO Awais Mazhar, both from the 79<sup>th</sup> Precinct, responded to the location. § 87(2)(b) had slipped and fell on the floor during the altercation. PO Madhu told § 87(2)(b) “God don’t like ugly, that’s why you fell” and “Shut the fuck up” (**Allegation A**). PO Madhu refused to take § 87(2)(b)’s report against the woman she had been fighting. Neither § 87(2)(b) nor the other woman was arrested. § 87(2)(b) later went to an unidentified hospital for injuries sustained in the fight.

§ 87(2)(b) provided both PO Madhu’s and PO Mazhar’s names and shield numbers when filing the complaint. However, it is unknown how § 87(2)(b) came to have this information. § 87(2)(g)

When filing the complaint, § 87(2)(b) provided a contact number but no address; she explained she was homeless and had no address at which to receive mail. The CCRB contacted § 87(2)(b) on July 21, 2011 to discuss the complaint; § 87(2)(b) opted to resolve her complaint through mediation and a phone interview was scheduled for 1:00 p.m. on the same day. The undersigned investigator contacted § 87(2)(b) at 1:00 p.m. but the phone went unanswered. The CCRB attempted to contact § 87(2)(b) on July 27, 2011, but the call went unanswered; a message was left requesting that § 87(2)(b) contact the CCRB. The CCRB contacted § 87(2)(b) on August 10, 2011; during this time, she informed the CCRB that would like to withdraw her complaint. § 87(2)(b) explained that she was not interested in pursuing the complaint as she no longer lived in that neighborhood and would not see the officer again. She stated that she was withdrawing the complaint of her own free will and she had not been coerced by anyone from the NYPD or CCRB into withdrawing the complaint. § 87(2)(b) stated that she would contact the CCRB and provide an address to which the withdrawal letter could be sent. § 87(2)(b) has failed to contact the CCRB to provide her address. On August 25, 2011, the CCRB contacted § 87(2)(b) and left a message requesting that she contact the CCRB with her address. To date, § 87(2)(b) has not contacted the CCRB. Manager Robert Lonergan listened to the digital recording of the withdrawal and confirmed that it adhered to agency standards.

§ 87(2)(g)

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Team: 4

Investigator: \_\_\_\_\_  
Signature Print Date

Supervisor: \_\_\_\_\_  
Title/Signature Print Date

Reviewer: \_\_\_\_\_  
Title/Signature Print Date

Reviewer: \_\_\_\_\_  
Title/Signature Print Date